

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SENCO BRANDS, INC.,

Plaintiff,

v.

HITACHI KOKI USA, LTD.,

Defendant

C.A. No. 17-598 (GMS)

**STIPULATION AND [PROPOSED] ORDER TO  
STAY ACTION PENDING ITC INVESTIGATION**

Plaintiff Senco Brands, Inc. (“Senco”) and Defendant Hitachi Koki USA, Ltd. (“Hitachi Koki”) hereby stipulate as follows, subject to the approval of the Court.

On November 15, 2017, the United States International Trade Commission (“Commission”) instituted Investigation No. 337-TA-1082 based on Senco’s allegations of infringement of the same six patents at issue in this action, U.S. Pat. Nos. 8,011,547, 8,267,296, 8,267,297, 8,387,718, 8,286,722 and 8,602,282 (“ITC Proceeding”). (Ex. A) Hitachi Koki was named as the sole Respondent in that investigation.

Pursuant to 28 U.S.C. § 1659, Hitachi Koki is entitled to a mandatory stay of this action until the determination of the Commission in the ITC Proceeding becomes final.

The parties therefore stipulate and agree to an immediate stay of this action until such time as the ITC Proceeding is fully resolved.

*/s/ Kelly E. Farnan*

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Kelly E. Farnan (#4395)  
**Richards, Layton & Finger, P.A.**  
One Rodney Square  
920 North King Street  
Wilmington, DE 19801  
Tel: (302) 651-7705  
farnan@rlf.com

*Attorneys for Plaintiff*

11445618

*/s/ Karen Jacobs*

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Karen Jacobs (#2881)  
**Morris, Nichols, Arsh & Tunnell LLP**  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347  
(302) 658-9200  
kjacobs@mnat.com

*Attorneys for Defendant*

**SO ORDERED:**

Date: \_\_\_\_\_

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United States District Judge